

1:19 MJ 9281

AFFIDAVIT

Your Affiant, Adam T. Lane, deposes and states:

1. Your Affiant is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), United States Department of Justice, and has been so employed since August of 2018. Prior to employment in law enforcement your affiant received a Bachelor of Arts in Criminal Justice and a Master of Business Administration from Lindenwood University in St. Charles, Missouri. Prior to becoming a Special Agent with ATF, your Affiant was a Special Agent and Trainee with the United States Secret Service from October 2017 through August 2018. Your affiant was also a St. Louis County Police Officer from December 2007 to October 2017 serving in the Divisions on Patrol and Special Operations. Your Affiant has completed the St. Louis County and Municipal Police Academy, the Federal Criminal Investigator Training Program, the United States Secret Service Special Agent Basic Training Academy in Beltsville Maryland, and the ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. In addition to the firearms, arson, and explosives related training received in these courses, your Affiant has also conducted and participated in numerous investigations involving firearms, firearms trafficking, and the straw purchase of firearms.
2. Title 18 U.S.C. §§ 2 and 922(a)(6), make it unlawful for any person to aid and abet another to make a false or fictitious statement to a Federal Licensed Firearms dealer, which is intended and likely to deceive the licensed dealer, and the fact is material to the lawfulness of the acquisition of a firearm.

PROBABLE CAUSE

September 7, 2018 – 5907 State Road, Parma, Ohio

3. On September 7, 2018, Teron DIXON completed an ATF Form 4473 (Firearms Transaction Record) stating that he was the actual purchaser of the firearm. Specifically, DIXON answered “Yes” to the question, “Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.” DIXON purchased a Glock Semi-Automatic Pistol, Model 19, 9mm, bearing a serial number of BFMN606, from On Target Firearms LLC (FFL# 4-34-03553). ATF and USSS Special Agents later interviewed DIXON about the purchase of the above listed firearm. DIXON stated that he and MASSEY JR responded to On Target Firearms LLC in Parma Ohio. DIXON stated MASSEY JR provided him with credit cards to purchase the firearm. DIXON completed the purchase and provided the firearm to MASSEY JR. DIXON stated he purchased the firearm for MASSEY JR because he (MASSEY JR) could not obtain it legally. At the time of the purchase/transaction MASSEY JR was under indictment for Theft, a felony of the 4th degree, in Cuyahoga County (CR-17-623727-A) and Theft, a felony of the 5th degree, in Portage County (2018CR00641).

November 23, 2018 – 5907 State Road, Parma, Ohio

4. On November 23, 2018, Teron DIXON completed an ATF Form 4473 (Firearms Transaction Record) stating that he was the actual purchaser of the firearm. Specifically, DIXON answered “Yes” to the question, “Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring

the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.” DIXON attempted to purchase a Glock Semi-Automatic Pistol, Model 19, 9mm, bearing a serial number of BGUP849, from On Target Firearms LLC (FFL# 4-34-03553). A delayed response was received from the National Instant Criminal Background Check (NICS). On November 27, 2018, a proceed response was received by the FFL from the NICS Branch advising that the firearm could be transferred. On December 1, 2018, the above firearm was purchased and transferred to DIXON. ATF and USSS Special Agents later interviewed DIXON about the purchase of the above listed firearm. DIXON stated that he and MASSEY JR responded to On Target Firearms LLC in Parma, Ohio. DIXON stated MASSEY JR provided him with credit cards to purchase the firearm. Upon completing the purchase DIXON provided the firearm to MASSEY JR. At the time of the purchase/transaction MASSEY JR was under indictment for a Theft, a felony of the 5th degree, in Portage County (2018CR00641). Cellular site location data revealed MASSEY JR and DIXON were in the same geographical location at/around the time of the transaction.

December 10, 2018 – 1267 West Bagley Road, Berea, Ohio

5. On December 10, 2018, Teron DIXON completed an ATF Form 4473 (Firearms Transaction Record) stating that he was the actual purchaser of the firearm. Specifically, DIXON answered “Yes” to the question, “Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.” DIXON purchased a Glock Semi-Automatic Pistol,

Model 19, 9mm, bearing a serial number of BHXC780, from Select Fire Training Center LLC (FFL# 4-34-035-01-1K-03897). On December 14, 2018, this firearm was recovered in the possession of Deshawn MASSEY JR during a traffic stop in Parma, Ohio. ATF Special Agents later interviewed DIXON about the purchase and recovery of the above listed firearm. DIXON stated that on December 10, 2018, MASSEY JR drove him to FFL Select Fire Training Center in MASSEY JR's vehicle. DIXON stated MASSEY stayed in the car while he (DIXON) went inside the gun store. DIXON stated MASSEY provided him with credit cards to facilitate the purchase. DIXON stated MASSEY JR told him to purchase the Glock 19x Model. DIXON stated after the purchase he gave the firearm to MASSEY JR. DIXON stated MASSEY JR advised him that he (MASSEY JR) could not purchase the firearm due to having a criminal case (under indictment). At the time of the purchase/transaction MASSEY JR was under indictment for Theft, a felony of the 5th degree, in Portage County (2018CR00641). Cellular site location data revealed MASSEY JR and DIXON were in the same geographical location at/around the time of the transaction.

December 11, 2018 – 5907 State Road, Parma, Ohio

6. On December 11, 2019, Teron DIXON completed an ATF Form 4473 (Firearms Transaction Record) stating that he was the actual purchaser of the firearm. Specifically, DIXON answered "Yes" to the question, "Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you." DIXON attempted to purchase a Glock Semi-Automatic Pistol, Model 19, 9mm, bearing a serial number of BHUK936 and a Smith and

Wesson Semi-Automatic Pistol, Model SD9VE, bearing a serial number of FBD0898, from On Target Firearms LLC (FFL# 4-34-03553). ATF and USSS Special Agents later interviewed DIXON about the purchase/attempted purchase of the above listed firearms. DIXON stated that he and MASSEY JR responded to On Target Firearms LLC in Parma Ohio. DIXON stated MASSEY JR provided him with credit cards to purchase the firearms. DIXON stated he attempted to purchase the Glock firearm for MASSEY JR and the Smith and Wesson Firearm for himself. DIXON stated when attempting to purchase the firearms the credit card(s) were declined for the purchase of the Glock and it was not transferred to him. DIXON stated the credit card(s) were accepted for the purchase of the Smith and Wesson and it was transferred to him. This firearm was later relinquished to ATF from the possession of DIXON. ATF Special Agents later interviewed FFL Daniel Jambor about the purchase as he (Jambor) was the seller of the firearm. Jambor stated he remembered the incident. Jambor stated that DIXON had attempted to pay with multiple credit cards. Jambor stated the credit cards worked for the purchase of the Smith and Wesson, however, were declined for the purchase of the Glock. Jambor stated only the Smith and Wesson was transferred to DIXON. Jambor stated he remembered the incident because he was suspicious when DIXON attempted to pay for the firearms because he (DIXON) used three or four credit cards. Jambor further stated that he observed DIXON arrive in a Porsche Cayenne, which was a noticeable automobile. Jambor stated he observed the driver to be Deshawn MASSEY, which Jambor knew by name. SA Lane asked Jambor how he knew MASSEY. Jambor stated MASSEY had previously bought a firearm from the store and was a member of a rap group. Jambor stated that he took a photo of DIXON with his cell phone during the transaction because he was suspicious

that there could be potential credit card fraud. Jambor sent the photo to SA Lane. At the time of the purchase/transaction, MASSEY JR was under indictment for Theft, a felony of the 5th degree, in Portage County (2018CR00641). Cellular site location data revealed MASSEY JR and DIXON were in the same geographical location at/around the time of the transaction.

December 18, 2018 – 1267 West Bagley Road, Berea, Ohio

7. On December 18, 2018, Teron DIXON completed an ATF Form 4473 (Firearms Transaction Record) stating that he was the actual purchaser of the firearm. Specifically, DIXON answered “Yes” to the question, “Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.” DIXON purchased a Glock Semi-Automatic Pistol, Model 45, 9mm, bearing a serial number of BKDY848, from Select Fire Training Center LLC (FFL# 4-34-035-01-1K-03897). ATF and USSS Special Agents later interviewed DIXON about the purchase of the above listed firearm. DIXON stated that he and MASSEY JR responded to On Target Firearms LLC in Parma Ohio. DIXON stated MASSEY JR provided him with credit cards to purchase the firearm. DIXON completed the purchase and provided the firearm to MASSEY JR. This firearm was subsequently recovered by the Beachwood Ohio Police Department from MASSEY JR’s vehicle during his arrest on February 16, 2018. Cellular site location data revealed MASSEY JR and DIXON were in the same geographical location at/around the time of the transaction.

January 5, 2019 – 1267 West Bagley Road, Berea, Ohio

8. On January 5, 2019, Teron DIXON completed an ATF Form 4473 (Firearms Transaction Record) stating that he was the actual purchaser of the firearm. Specifically, DIXON answered “Yes” to the question, “Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you. “DIXON attempted to purchase a Glock Semi-Automatic Pistol, Model 19, 9mm, bearing a serial number of BHXC793, from Select Fire Training Center LLC (FFL# 4-34-035-01-1K-03897). DIXON attempted to purchase the firearm using multiple credit cards. A delayed response was received from National Instant Criminal Background Check (NICS). On January 12, 2019, a proceed response was received by the FFL advising the firearm could be transferred. DIXON never responded back to the FFL to complete the purchase. ATF and USSS Special Agents later interviewed DIXON about the attempted purchase of the above listed firearm. DIXON stated that he and MASSEY JR responded to Select Fire Training Center in Berea Ohio. DIXON stated MASSEY JR provided him with credit cards to purchase the firearm. DIXON stated the credit cards provided by MASSEY JR to facilitate the purchase were declined.

D. CONCLUSION

9. Based upon the above listed facts and circumstances, your Affiant believes and asserts that there is probable cause to believe on September 7, 2018, November 23, 2018, December 10, 2018, December 11, 2018, December 18, 2018, and January 5, 2019, DESHAWN MASSEY JR did knowingly **Aid and Abet Another in Making a False**

Statement in the Acquisition of a Firearm, Title 18, United States Code, Sections 922(a)(6).

10. The above violation was committed in the Northern District of Ohio, Eastern Division.

Your Affiant requests that an arrest warrants be issued for DESHAWN MASSEY.



Adam Lane, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to via telephone after submission by reliable electronic means. Pursuant to Fed. R. Crim. P. 4.1 and 41(d)(3) on this 30th day of October, 2019



Honorable William H. Baughman, Jr.
United States Magistrate Judge
Northern District of Ohio
Eastern Division